

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re: : Case No.: 14-22848-GLT
Michael B. Cord : Chapter: 13
Debtor(s). : Date: 11/10/2016
Time: 09:00

PROCEEDING MEMO

MATTER: #135 - Motion to Avoid Lien of First National Bank of PA
[Response due 10/29/2016]
#138 - Amended Certificate of Service Filed
#139 - Certificate of No Objection

Tentative Ruling: The Court is inclined to deny this motion as it appears it was not served in compliance with Bankruptcy Rule 7004(h). Debtor's counsel is expected to address whether valid service was effectuated, or in the alternative, provide a basis for the Court to conclude that Bankruptcy Rule 7004(h) is inapplicable.

APPEARANCES:

Debtor: Jeffrey Hulton

NOTES:

Hulton - No response was filed. CNO filed. Did not see the Court's tentative ruling prior to the hearing. The Debtor's chapter 13 plan is set for a conciliation conference today.

Court - Does not appear that the Motion was served in compliance with Bankruptcy Rule 7004(h).

Hulton - Did serve the Motion. Received a notification from the Court that a certificate of service was not filed.

Court - Certificate of service indicates that service was made by first class mail. If the creditor is an FDIC-insured institution, needs to be served by certified mail on an officer.

OUTCOME:

1. Matter continued for 45 days. Proper proof of service to be filed within 15 days. (Text Order to issue).

DATED: 11/10/2016